

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|----------------------------------|---|----------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | Criminal No.: 19-10080-NMG |
| |) | |
| GREGORY COLBURN, <i>et al.</i> , |) | |
| |) | |
| Defendants |) | |

**JOINT MOTION TO UTILIZE JUROR QUESTIONNAIRE AND CONTINUE
DEADLINE REGARDING VOIR DIRE**

Consistent with the operative scheduling order, the parties respectfully submit this proposal regarding voir dire in connection with the jury selection process.

The government and the defendants respectfully submit this joint motion to utilize a questionnaire to assist in empaneling the jury for trial. Due to the unique nature of this case, and the wide media attention it has garnered, the parties agree that use of a written questionnaire is appropriate. Other sessions of this Court have approved the use of such a questionnaire in similar circumstances. *See, e.g., United States v. Bulger*, 99-CR-10371, Dkt. 886, 894; *United States v. Correia*, 18-CR-10364, Dkt. 193-95.

The parties are conferring regarding the substance of a limited juror questionnaire and respectfully propose to submit as much of a joint proposed questionnaire as they have been able to agree upon, along with any supplemental requests of each party, to the Court by August 16, 2021. In addition, all parties reserve the right to propose additional questions and follow-up questions during the jury selection process, and to submit individual voir dire requests should the Court deny the parties' joint proposal.

Respectfully submitted,

NATHANIEL R. MENDELL
Acting United States Attorney

By: /s/ Leslie A. Wright

JUSTIN D. O'CONNELL
KRISTEN A. KEARNEY
LESLIE A. WRIGHT
STEPHEN E. FRANK
IAN J. STEARNS
Assistant United States Attorneys

/s/ Cory S. Flashner

R. Robert Popeo (BBO # 403360)
Mark E. Robinson (BBO # 423080)
Eóin P. Beirne (BBO # 660885)
Cory S. Flashner (BBO # 629205)
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, MA 02111
(617) 348-1605 (telephone)
rpopeo@mintz.com
mrobinson@mintz.com
ebeirne@mintz.com
csflashner@mintz.com

Counsel for Elisabeth Kimmel

/s/ Brian T. Kelly

Brian T. Kelly (BBO No. 549566)
Joshua C. Sharp (BBO No. 681439)
Lauren M. Maynard (BBO No. 698742)
NIXON PEABODY LLP
53 State Street
Boston, MA 02109
617-345-1000
bkelly@nixonpeabody.com
jsharp@nixonpeabody.com
lmaynard@nixonpeabody.com

Counsel for Gamal Abdelaziz

/s/ Michael Kendall

Michael Kendall (BBO # 544866)
WHITE & CASE LLP
75 State Street
Boston, MA 02109-1814
Telephone: (617) 979-9310
michael.kendall@whitecase.com

Andrew E. Tomback (*pro hac vice*)
MCLAUGHLIN & STERN
260 Madison Avenue
New York, NY 10016

Counsel for John Wilson

/s/ Michael K. Loucks

Michael K. Loucks (BBO #305520)
SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP
500 Boylston Street
Boston, MA 02116
(617) 573-4800
michael.loucks@skadden.com

Jack P. DiCanio (*pro hac vice*)
SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP
525 University Avenue
Palo Alto, CA 94301
(650) 470-4500
jack.dicanio@skadden.com

Counsel for Defendant Marci Palatella

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants.

/s/ Leslie A. Wright

LESLIE A. WRIGHT

Assistant United States Attorney